



# Public Health

## **NOTICE OF BOULDER COUNTY PUBLIC HEALTH ORDER ADOPTING AND EXTENDING STATE STAY-AT-HOME ORDERS**

Pursuant to Colorado Revised Statutes (“C.R.S.”) §§ 25-1-506, 508, 509, and 516, Boulder County Public Health hereby issues this Public Health Order adopting and extending Executive Order D 2020-024 and Fourth Updated Public Health Order 20-24 (“Stay-at-Home Orders”), closing certain businesses and requiring residents to stay at home except for necessary travel in Boulder County, Colorado, so as to control and slow the spread of the SARS-CoV-2 virus (“coronavirus”) and to mitigate the effects of the disease resulting therefrom (the coronavirus and the disease resulting therefrom shall be referred to herein as “COVID-19”). The goal of this Order shall be to control and reduce the spread of COVID-19, so as to maintain consistent health care capacity in Boulder County to adequately treat patients suffering from the disease.

### **FINDINGS**

Whereas, Boulder County Public Health (“BCPH”) has public health jurisdiction over Boulder County, including all cities and towns therein. In furtherance of its jurisdiction, BCPH has the power and duty to investigate and control the causes of epidemic or communicable diseases and conditions affecting the public health within Boulder County, as well as the power and duty to close schools and public places and to prohibit gatherings of people when necessary to protect public health, and to establish, maintain, and enforce isolation and quarantine, and in pursuance thereof, to exercise physical control over property and over persons within Boulder County as BCPH may find necessary for the protection of public health.

Whereas, COVID-19 is a respiratory illness transmitted like other respiratory illnesses through person-to-person contact or by contact with surfaces contaminated with the virus. Persons infected with COVID-19 may become symptomatic anywhere from two (2) to fourteen (14) days after exposure. Symptoms include fever, cough, shortness of breath, or difficulty breathing. Individuals with serious chronic health conditions and older adults are most at risk for becoming very ill with this disease.

Whereas, COVID-19 was first detected in Wuhan, China, in late 2019, and since then has spread to over 60 countries, including the United States. As of April 24, 2020, there are 11,262 confirmed or probable positive cases of COVID-19 statewide in Colorado and 431 confirmed or probable positive cases in Boulder County, Colorado, as well as 552 deaths related to COVID-19 statewide and 28 deaths in Boulder County.

Whereas, on March 25, 2020, the Governor of Colorado, Jared Polis, issued Executive Order D 2020-024 closing non-critical businesses and requiring all Coloradans to stay at home except for necessary travel.

Whereas, on March 26, 2020, Colorado Department of Public Health and Environment (“CDPHE”) issued Public Health Order 20-24 detailing the specific requirements for individuals and businesses subject to stay-at-home requirements.

Whereas, both Executive Order D 2020-024 and Public Health Order 20-24, as amended, are set to expire on April 26, 2020.

Whereas, scientific evidence shows that limiting interactions among people to the greatest extent practicable is essential to slow virus transmission as much as possible to protect the vulnerable populations and to prevent the health care system from being overwhelmed.

Whereas, the health conditions that led to the issuance of Executive Order D 2020-024 and Public Health Order 20-24 have not abated in Boulder County. Furthermore, it is the interest of the businesses and residents of Boulder County, a densely populated county in the Denver metropolitan area, to have guidelines consistent with neighboring jurisdictions, particularly given that many businesses have locations across jurisdictions and many individuals travel across jurisdictional borders for work, recreation, and other purposes.

## **ORDER**

Pursuant to the statutory authority granted the Executive Director of BCPH, the following is ordered:

1. All persons and businesses in Boulder County are ordered to continue abiding by the requirements of Colorado's Stay-At-Home Orders through midnight on May 8, 2020, even though those orders as issued by the State would otherwise expire on April 26, 2020. By this Order, I hereby adopt all terms and conditions of Colorado's Stay-At-Home Orders, Executive Order D 2020-024 and Public Health Order 20-24 as updated, as set forth therein, with one limited exception as noted in Paragraph 2 below.
2. In Fourth Updated Public Health Order 20-24, Critical Businesses (as defined therein) were authorized to offer retail sales through curbside delivery, but Non-Critical Businesses were precluded from doing so. By this Order, the Stay-At-Home Orders as applied in Boulder County are amended to permit Non-Critical Businesses to offer curbside delivery of products. Specifically:
  - a. The definition of "Necessary Travel" is hereby amended to allow travel to pick up goods through curbside delivery.
  - b. On-site staffing of Non-Critical Businesses is limited to the minimum number of employees necessary to fill and process orders and to provide curbside delivery, in addition to Minimum Basic Operations, as defined in Colorado's Stay-At-Home Orders. However, in no event shall the number of employees permitted at the physical location of a Non-Critical Business exceed the number permitted by any existing or future state order.
  - c. Employees of Non-Critical Businesses who are able to work remotely must continue to work remotely.
  - d. No members of the public may enter the physical locations of Non-Critical Businesses, and Non-Critical Businesses must indicate that members of the public may not enter their physical locations.

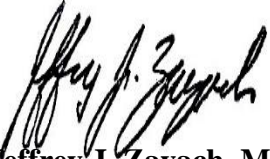
3. Colorado's Safer-At-Home, announced by Governor Polis on April 20, 2020, does not apply in Boulder County. However, nothing in this Order shall be construed to be less restrictive than any state order.

Along with CDPHE, BCPH is tasked with protecting the health and welfare of the citizens of Boulder County by investigating and controlling cases of epidemic and communicable disease. This Order is necessary to control transmission of disease to others. Immediate issuance of this Order is necessary for the preservation of public health, safety, or welfare.

If you have questions regarding this Order, please contact the BCPH Call Center at 720-776-0822 or view the COVID-19 information on BCPH's website at [BoCo.org/COVID-19](https://BoCo.org/COVID-19).

This BCPH Public Health Order shall be in effect from April 27, 2020, at 12:01 a.m., and continuing until midnight on May 8, 2020, unless earlier amended, extended, or rescinded by the Executive Director of BCPH.

**FAILURE TO COMPLY WITH THIS ORDER IS SUBJECT TO PENALTIES CONTAINED IN C.R.S. §§ 25-1-114 and 25-1-516, INCLUDING A FINE OF UP TO FIVE THOUSAND DOLLARS (\$5,000.00) AND IMPRISONMENT IN THE COUNTY JAIL FOR UP TO ONE YEAR.**

  
**Jeffrey J. Zayach, MS**  
Executive Director  
Boulder County Public Health

April 24, 2020

Date